

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 5/19/08

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ROBERTO PONCE, on behalf of himself and all :
other similarly situated employees, :

Plaintiff, :

07 Civ. 11634 (GEL) (AJP)

-against- :

ORDER OF DISMISSAL ON CONSENT

AMISH MANHATTAN FARMER'S MARKET, INC., :

Defendant. :

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ANDREW J. PECK, United States Magistrate Judge:

Based on the settlement agreement reached by all parties and transcribed by the court reporter on May 19, 2008, and on the stipulation of the parties pursuant to 28 U.S.C. § 636(c), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs as to plaintiff Ponce, and without prejudice as to "all other similarly situated employees," provided, however, that the Court retains jurisdiction for sixty days in the event defendant does not make payment under the settlement. Any pending motions are to be terminated as moot.

SO ORDERED.

DATED: New York, New York
May 19, 2008



Andrew J. Peck
United States Magistrate Judge

Copies **by fax & ECF** to: Robert L. Kraselnik, Esq.
Harvey S. Mars, Esq.
Judge Gerard E. Lynch